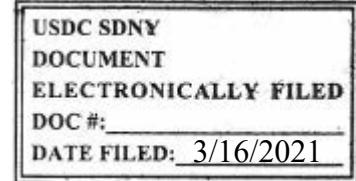


LEVIN-EPSTEIN & ASSOCIATES, P.C.

420 Lexington Avenue • Suite 2525 • New York, New York 10170
T: 212.792-0046 • E: Jason@levinestein.com

Via Electronic Filing

The Honorable Judge Alison J. Nathan
U.S. District Court, Southern District of New York
40 Foley Square
New York, NY 10007



Re: *De La Rosa v. Aspenly Co. LLC et al,*
Case No.: 1:18-cv-03456

Dear Honorable Judge Nathan:

This law firm represents Defendant Pure Green NYC 8th Street Corp. (the “Defendant”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Practice Rules 1(A) and 1(D), this letter respectfully serves to request: (i) an extension of time to file pretrial submissions from March 18, 2021 to through and including April 16, 2021; and (ii) an adjournment of the final pretrial conference from March 25, 2021 to a date and time after April 16, 2021.

This is the second request of this nature. One prior request by Plaintiff’s counsel [Dckt. No. 139] was granted on February 25, 2021 [Dckt. No. 141]. If granted, this request would not affect any other scheduled deadlines. Plaintiff’s counsel consents to an extension of time to file pretrial submissions.

The basis of this request is that the subject premises has permanently closed. As of March 1, 2021, Defendant vacated the Subject Premises, and ceased its operations, as a result of the financial pressures related to the COVID-19 pandemic.

Defendant is in the process of submitting a motion to dismiss the action on the basis that this action is moot pursuant to Fed.R.Civ.P. 12(b)(1) as a result of the subject premises’ permanent closure.

In light of the foregoing, it is respectfully submitted that this Court grant: (i) an extension of time to file pretrial submissions from March 18, 2021 to through and including April 16, 2021; and (ii) an adjournment of the final pretrial conference from March 25, 2021 to a date and time after April 16, 2021.

Thank you, in advance, for your time and consideration.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

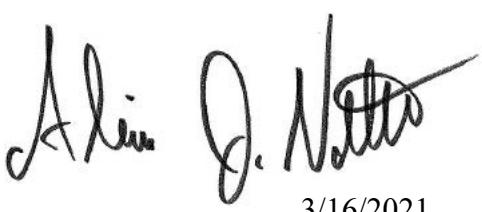
By: /s/ Jason Mizrahi
Jason Mizrahi

420 Lexington Avenue, Suite 2525
New York, NY 10170
Tel. No.: (212) 792-0048
Email: Jason@levinestein.com
Attorneys for Defendant

VIA ECF: All Counsel

The deadline for pretrial submissions is extended to April 16, 2021, and the final pretrial conference scheduled for March 25, 2021, is adjourned to May 4, 2021, at 11:00 a.m. Counsel shall meet and confer before the Defendant files any motion to dismiss the case as moot. The Defendant's moving papers shall confirm that the parties have conferred before the filing of the motion; the motion will otherwise be denied on that basis.

SO ORDERED.



3/16/2021
SO ORDERED.
ALISON J. NATHAN, U.S.D.J.